

## **Minutes of the West Virginia Public Employees Grievance Board**

Meeting date: August 24, 2007

The West Virginia Public Employees Grievance Board met at 808 Greenbrier Street, Charleston, West Virginia on August 24, 2007. The meeting was convened at 1:00 p.m. by Chairman Bob Brown. Board member present was Marc Harman. Attending by phone were Bob Brown, Melissa Lampinen, Secretary/Treasurer and Charles Polk.

Reading and approval of the minutes of August 15, 2007, was postponed until October 1, 2007.

The final draft of the Procedural Rules and Appendices to be submitted to the Secretary of State's office for a 30-day public comment period was presented by Janis Reynolds. There were two changes.

The first change clarified § 156-1-2.1.1 as follows: ["File" or "filing" means to place an appropriate grievance form or letter evidencing an intent to appeal in an official depository of the United States Postal Service, postage prepaid, and addressed to 1) the Board's main offices at 808 Greenbrier Street, Charleston, West Virginia 25311, and 2) the agency's chief administrator. If it is a state employee grievance, a third copy shall be sent to the Division of Personnel...]. Mr. Harman moved to accept the amendment. The motion was seconded and approved unanimously.

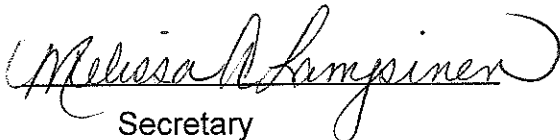
The second change clarified § 145-1-5.9.1 as follows: "The administrative law judge's decision on a motion to recuse may be appealed to the chief administrative law judge, and if the chief administrative law judge is the judge sought to be recused, then the appeal shall be to the Director of the Board. This decision may then be appealed to the Chairperson of the Board by any party to the grievance, in accordance with Rule 4.7 5.6. The Chairperson will then call an emergency meeting of the Board to respond to the Motion. An appeal shall operate to automatically

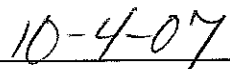
continue any hearing or other action on the grievance. The decision of the Board or its Chairman is final and not subject to further appeal or review prior to the disposition of the grievance." Mr. Harman moved to accept the amendment. The motion was seconded and approved unanimously.

It was then moved by Mr. Harman that the draft of the Procedural Rules for the West Virginia Public Employees Grievance Board be approved as amended. The motion was seconded and approved unanimously.

The Chair then asked for a report on the status of the draft budget narrative. Robin Perdue reported that the draft still needed performance measures. When the draft is fully complete, a conference call will be scheduled for the Board to approve the final narrative.

The meeting was adjourned at 1:23 p.m.

  
Secretary

  
Date of Approval